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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Reynaldo ROJAS-Sanchez,

Defendant

) Magistrate Docket No.

) 08 MJ 1729

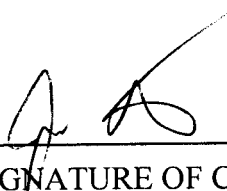
) COMPLAINT FOR VIOLATION OF:

) Title 8, U.S.C., Section 1326
) Deported Alien Found in the
) United States

The undersigned complainant, being duly sworn, states:

On or about **May 31, 2008** within the Southern District of California, defendant, **Reynaldo ROJAS-Sanchez**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 2nd of JUNE, 2008



Leo S. Papas
UNITED STATES MAGISTRATE JUDGE

**CONTINUATION OF COMPLAINT:****Reynaldo ROJAS-Sanchez****PROBABLE CAUSE STATEMENT**

On May 31, 2008, Border Patrol Agent M. Flanders was performing his assigned duties in the Campo Border Patrol Station area of operation. At approximately 7:45 P.M., Agent Flanders responded to a citizen's report via bureau radio of three individuals walking north on Buckman Springs Road and Old HWY 80, near Pine Valley, California. Pine Valley California is located approximately nine miles east of the Tecate, California Port of Entry and approximately twelve miles north of the United States/Mexico International Boundary.

Agent Flanders arrived on scene and observed the three subjects walking northbound on Buckman Springs Road. Agent Flanders approached the suspects identified himself as a United States Border Patrol Agent and began to question each individual as to their immigration status. All three, including one later identified as the defendant **Reynaldo ROJAS-Sanchez**, admitted to being a citizens and nationals of Mexico without any immigration documents that would allow them to enter or remain legally. All three were arrested and transported to the Campo Border Patrol Station for further processing.

Routine record checks of the defendant revealed an immigration and criminal history. The defendant's record was determined by a comparison of his Criminal/immigration records and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **November 11, 2007** through **San Ysidro, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was read his Miranda rights. He stated he understand and was willing to make a statement without an attorney present. The defendant stated that he was a citizen and national of Mexico without valid immigration documents to enter or remain within the United States legally.